United Nations S/RES/1959 (2010)

Security Council

Distr.: General
16 December 2010

Resolution 1959 (2010)

Adopted by the Security Council at its 6451st meeting, on 16 December 2010

The Security Council,

Recalling its resolutions and the statements of its President on Burundi, in particular resolutions 1719 (2006), 1791 (2007), 1858 (2008) and 1902 (2009),

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and unity of Burundi,

Taking note with appreciation of the successful holding of five consecutive elections between May and September 2010, which, despite divisions between political actors, did not lead to large-scale violence and constitute an important milestone in the consolidation of peace and democracy as well as sustainable development in Burundi,

Encouraging the efforts of the Government of Burundi to create a space for all political parties and to continue improving dialogue between all actors, including civil society,

Commending the valuable contribution that the United Nations Integrated Office in Burundi (BINUB) has made to the recovery of Burundi from conflict and to the country's peace, security and development,

Welcoming the progress that Burundi has made towards peace, stability and development and *emphasizing* the need for the United Nations system and the international community, including the international financial institutions and Burundi's development partners, to maintain their support for peace consolidation and long-term development in Burundi,

Supporting the renewed commitment of Burundi to "zero tolerance" for corruption,

Welcoming the continued engagement of the Peacebuilding Commission in Burundi and the recent visit of the Chair of the Commission's Burundi configuration, *taking note* of the January 2010 review of progress in the implementation of the Strategic Framework for Peacebuilding in Burundi and of the briefing of the Chair of the Burundi configuration of the Peacebuilding Commission on 9 December 2010, and *acknowledging* the contribution that the Peacebuilding Fund has made to peacebuilding in Burundi,

Please recycle

Supporting the commitment of Burundi to regional integration, notably in the Economic Community of Great Lakes Countries (CEPGL) and the East African Community (EAC), and its efforts to ensure the success of its Chairing of the EAC in 2011,

Recognizing the importance of transitional justice in promoting lasting reconciliation among all the people of Burundi, and *noting with appreciation* the completion of the national consultations on the establishment of the transitional justice mechanisms, in accordance with its resolution 1606 (2005) as well as the Arusha agreements 2000,

Noting with great concern the reports of continuing human rights violations, in particular extrajudicial killings and torture, and restrictions on civil liberties, including restrictions on the freedom of expression, association and assembly of opposition parties and civil society organizations,

Encouraging the Government of Burundi to protect the civil liberties and to fight impunity, particularly by ensuring that those responsible for incidences of torture, extrajudicial killings and mistreatment of detainees are brought to justice,

Recalling its resolutions 1325 (2000), 1820 (2008), 1888 (2009) and 1889 (2009) on women and peace and security, its resolutions 1674 (2006) and 1894 (2009) on the protection of civilians in armed conflicts and its resolutions 1612 (2005) and 1882 (2009) on children and armed conflict,

Having considered the seventh report (S/2010/608) of the Secretary-General on the BINUB,

1. *Requests* the Secretary-General to establish the United Nations Office in Burundi (BNUB), as recommended in his report (S/2010/608), as a significantly scaled down United Nations presence, for an initial period of 12 months beginning on 1 January 2011, with the key tasks as specified in paragraph 3 below, to support the progress achieved in recent years by all national stakeholders in consolidating peace, democracy and development in Burundi;

2. *Welcomes* the Secretary-General's recommendation that BNUB should be headed by a Special Representative of the Secretary-General assisted by a Deputy Special Representative who would serve as United Nations Resident Coordinator and Humanitarian Coordinator, as well as Resident Representative of the United Nations Development Programme, and *recognizes* the need for appropriate expertise and adequate material resources, in order that the BNUB can effectively and efficiently implement its mandate;

3. *Requests* that BNUB focuses on and supports the Government of Burundi in the following areas:

(a) Strengthening the independence, capacities and legal frameworks of key national institutions, in particular judicial and parliamentary institutions, in line with international standards and principles;

(b) Promoting and facilitating dialogue between national actors and supporting mechanisms for broad-based participation in political life, including for the implementation of development strategies and programmes in Burundi;

(c) Supporting efforts to fight impunity, particularly through the establishment of transitional justice mechanisms to strengthen national unity,

promote justice and promote reconciliation within Burundi's society, and providing operational support to the functioning of these bodies;

(d) Promoting and protecting human rights, including strengthening national capacities in that area, as well as national civil society;

(e) Ensuring that all strategies and policies with respect to public finance and the economic sector, in particular the next Poverty Reduction Strategy Paper (PRSP), have a focus on peacebuilding and equitable growth, addressing specifically the needs of the most vulnerable population, and advocating for resource mobilization for Burundi;

(f) Providing support to Burundi as Chair of the East African Community in 2011 as well as providing advice, as requested, on regional integration issues;

4. *Underscores* the need for a smooth transition from BINUB to BNUB;

5. *Underlines* the importance of establishing a fully integrated office with effective coordination of strategy and programmes among the United Nations agencies, funds and programmes in Burundi, and *emphasizes* the need for the United Nations system to support and cooperate fully with BNUB;

6. *Recognizes* the primary responsibility of the Government of Burundi for peacebuilding, security and long-term development in the country, and *encourages* the Government of Burundi to pursue its efforts regarding peace consolidation challenges, in particular democratic governance, the fight against corruption, security sector reform, justice and the protection of human rights, with a special focus on the rights of women and children as well as marginalized and vulnerable minorities;

7. *Encourages* the Government of Burundi with the support of BNUB and other international partners to redouble its efforts to pursue structural reforms aimed at improving political, economic and administrative governance and tackling corruption, with a view to setting up strong drivers for sustained and equitable social and economic growth;

8. *Underscores* the importance of security sector reform and *urges* all international partners, together with BNUB, to continue supporting the Government of Burundi's efforts to professionalize and enhance the capacity of the national security services and the police, in particular in the fields of training on human rights and sexual and gender-based violence, and with the view to consolidating security sector governance;

9. *Commends* the Government of Burundi for the completion of the reintegration of the last groups of children formerly associated with armed groups and of ex-combatants, *encourages* the Government to ensure that these results are sustainable, *encourages* the Peacebuilding Commission to consider what specific actions it could undertake to bolster its support to the sustainable reintegration of war-affected populations and other vulnerable groups, and *supports* the Government's efforts in voluntary civilian disarmament campaign and the launch of the Police Nationale du Burundi (PNB) arms marking and registration process;

10. *Encourages* the Government of Burundi, the Peacebuilding Commission, and its national and international partners to honour the commitments they have made under the Strategic Framework for Peacebuilding, *requests* the Peacebuilding

Commission, with support from BNUB, to continue to assist the Government of Burundi in laying the foundations for sustainable peace and security, reintegration and long-term development in Burundi, including ensuring that progress is made in the implementation of rule of law and that peacebuilding objectives are fully taken into account in the future strategic planning processes, in particular the PRSP, and *requests* the Peacebuilding Commission to provide advice to the Security Council on these issues;

11. *Urges* the Government to investigate reports of human rights violations, to take the necessary steps to prevent further violations and to ensure that those responsible for such violations are brought to justice;

12. *Calls upon* the Government of Burundi to pursue its efforts to ensure the promotion and protection of human rights and to swiftly establish the National Independent Human Rights Commission, in conformity with the Paris Principles outlined in General Assembly resolution 48/134 and further *encourages* it to continue its fight against impunity and to take the necessary measures to ensure its citizens fully enjoy their civil, political, social, economic and cultural rights as enshrined in the Constitution of Burundi and provided for by international human rights instruments, including those ratified by Buruadi;

13. *Welcomes* the completion of the national consultations on the establishment of transitional justice mechanisms, *commends* the Government of Burundi for publishing the report of these consultations and *encourages* the Government of Burundi, with the support of international partners and BNUB as appropriate, to establish the proposed mechanisms;

14. *Welcomes* the recent tripartite agreement between Burundi, the Democratic Republic of the Congo and UNHCR as well as the progress towards achieving dignified durable solutions for refugees living in Tanzania, and *encourages* a sustained effort to find solutions with regards to the residual Burundi refugee caseload, in compliance with relevant international law;

15. *Requests* the Secretary-General to keep the Council informed every six months on the implementation of the mandate of BNUB and this resolution, with a briefing by 31 May 2011 and a report by 30 November 2011, and *calls upon* the Secretary-General to develop a set of benchmarks for the future evolution of BNUB into a United Nations Country Team presence and regularly report on their progress to the Security Council;

16. *Decides* to remain actively seized of the matter.